Case 08-21012 Doc 1 Filed 08/11/08 Entered 08/11/08 17:37:52 Desc Main B1 (Official Form 1) (1/08) Document Page 1 of 42

## United States Bankruptcy Court Northern District of Illinois Eastern Division

1/-		. Datition
VO	ıuntarv	/ Petition

Name of Debtor (if individual, enter Last, F	First, Middle):		Name o	of Joint Debtor	(Spouse) (Las	st, First, Middle	9)				
Bear,	Juan O			Bear, Consuelo,							
All Other Names used by the Debtor in the and trade names):	e last 8 years (include ma	rried, maiden	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden and trade names):								
Last four digits of Soc. Sec. or Individual-T (if more than one, state all) * ***_**	axpayer I.D. (ITIN) No./Co	omplete EIN		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * ***-**-6223							
Street Address of Debtor (No. & Street, C	ty, and State):		Street	Address of Joir	nt Debtor (No.	& Street, City	, and State):				
4721 S. LaCrosse			472	4721 S. LaCrosse							
Chicago IL	6	0638		cago IL			60638				
County of Residence or of the Principal Pl	ace of Business:		County	of Residence	or of the Princ	cipal Place of E	Business:				
CO	OK					соок					
Mailing Address of Debtor (if different fron	street address)		Mailing	Address of Jo	int Debtor (if o	different from s	street address):				
Location of Principal Assets of Business D	ebtor (if different from str	eet address a	above):								
Type of Debtor (Form of Organization) (Check one box)	Nature of Bu (Check one			·	otcy Code Un	der Which th	e Petition is Filed (Check one box)				
Individual (includes Joint Debtors) See Exhibit D on page 2 of this form	Heath Care Busine			napter 7 napter 9			15 Petition for Recognition				
☐ Corporation (includes LLC & LLP)			l _	napter 11		of a Fore	eign Main Proceeding				
☐ Partnership	Railroad  Stockbroker		I —	☐ Chapter 12 ☐ Chapter 15 Petition for Recognition ☐ Chapter 13 Of a Foreign Nonmain Proceeding							
☐ Other (If debtor is not one of the	☐ Commodity Broker		■ Cr	napter 13	N. t						
above entities, check this box	Clearing Bank			Nature of Debts (Check one Box)							
and state type of entity below.)	Other	Fastitus		■ Debts are primarily consumer Debts are primarily business debts, defined in 11 U.S.C. debts.							
	Tax-Exempt (Check box, if ap	plicable.)	§ 1	101(8) as "incu	rred by an		-				
	Debtor is a tax-exe organization under	•		individual primarily for a personal, family, or household							
	United States Code Revenue Code).	e (the Interna	l pu	rpose."							
Filing Fee (C	<u>'</u>				Cha	pter 11 Debte	ors				
■ Filing Fee attached	,			Check one box  ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D)							
E ETT - E - La bara de la	P I. I T T dr. T. I I.		_ D	☐ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D)							
☐ Filing Fee to be paid in installments (a signed application for the court's consi			Oncor		ate noncontino	nent liquidated	dehts (excluding dehts owed to				
unable to pay fee except in installment	s. Rule 1006(b). See Office	cial Form 3A.	in	Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affliates) are less than \$2,190,000.							
☐ Filing Fee wavier requested (applicable	•	- /	^	Check all applicable boxes:  A plan is being filed with this petition.							
attach signed application for the court	s consideration. See Offic	iai Form 3B.		Acceptances of the plan were solicited prepetition from one of more classes							
Statistical/Administrative Information	:: - - -		-14:				This space is for court use only				
Debtor estimates that funds will be available Debtor estimates that, after any exem funds available for distribution to unse	ot property is excluded an			s paid, there w	rill be no						
Estimated Number of Creditors											
1- 50- 100- 49 99 199	200- 999 5,000	5,001- 10,000	10,001 25,000	25,001	50,001	Over					
Estimated Assets	5,000	10,000	25,000	50,000	100,000	100,000					
\$0 to \$50,001to \$100,001 to	\$500,001 \$1,000,001	\$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001	More than					
\$50,000 \$100,000 \$500,000	to \$1 to \$10 million million	to \$50 million	to \$100 million	to \$500 million	to \$1billion	\$1 billion					
Estimated Liabilities		<b>1</b>	<b>5</b> 50,000,001	□ \$400,000,004	<b>5</b> 500,000,001	☐ Mare then					
\$0 to \$50,001 to \$100,001 to \$50,000 \$100,000 \$500,000	\$500,001 \$1,000,001 to \$1 to \$10 million million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1billion	More than \$1 billion					

PFG Record #

Case 08-21012 Doc 1 Filed 08/11/08 Entered 08/11/08 17:37:52 Desc Main B1 (Official Form 1) (1/08) Document Page 2 of 42 **Voluntary Petition** Name of Debtor(s) This page must be completed and filed in every case) Bear, Juan O Consuelo Bear All Prior Bankruptcy Case Filed Within Last 8 Years (if more than two, attach additional sheet) Location Where Filed: Case Number: Date Filed: None None Pending Bankruptcy Case Filed by any Spouse, Partner, or Affilate of this Debtor (if more than one, attach additional sheet) Name of Debtor: Date Filed: Case Number: None District: Relationship: Judge: **Exhibit B** Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 pursuant to Section 13 or 15 (d) of the Securities Exchange Act of or 13 of title 11, United States Code, and have explained the relief available under 1934 and is requesting relief under chapter 11.) each such chapter. I further certify that I have delivered to the debtor the notice required by 11 USC § 342(b). Exhibit A is attached and made a part of this petition. /s/ Juan M Villalpando Juan M Villalpando Dated: 08/11/2008 **Exhibit C** Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. Nο **Exhibit D** (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check the Applicable Box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) П Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of Landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1))

permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day

П

possession was entered, and

period after the filing of the petition.

Case 08-21012 Doc 1 Filed 08/11/08 Entered 08/11/08 17:37:52 Desc Main B1 (Official Form 1) (1/08) Document Page 3 of 42

**Voluntary Petition** 

This page must be completed and filed in every case)

Name of Joint Debtor(s)

(Check only one box.)

attached.

Bear, Juan O Consuelo Bear

Signature of a Foreign Representative

petition is true and correct, that I am the foreign representative of a debtor

Code. Certified copies of the documents required by 11 U.S.C. § 1515 are

I declare under penalty of perjury that the information provided in this

in a foreign proceeding, and that I am authorized to file this petition

 $f \square$  I request relief in accordance with chapter 15 of title 11, United States

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order

granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

## **Signatures**

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

/s/ Juan O Bear

Juan O Bear

Dated: 07/25/2008

/s/ Consuelo Bear

Consuelo Bear

Dated: 07/25/2008

<< Sign & Date on Those Lines

<< Sign & Date on Those Lines

Signature of Attorney

/s/ Juan M Villalpando

Signature of Attorney for Debtor(s)

Juan M Villalpando

Printed Name of Attorney for Debtor(s)

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH)

Date: 08/11/2008

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule incorrect.

#### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



# Document Page 4 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

does not apply in this district.

Bankruptcy Docket #:

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunites for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h)

I certify under penalty of perjury that the information provided above is true and correct.

Dated: 07/25/2008 /s/ Juan O Bear

Juan O Bear

Here

PFG Record # 364134 Official Form 1, Exhibit D (10/06) Page 1 of 1

# Document Page 5 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Bankruptcy Docket #:

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

		Consuelo Bear	Here
Dated	: 07/25/2008	/s/ Consuelo Bear	Sign & Date
l certif	y under penalty of perjury	that the information provided above is true and correct.	
do	<ol><li>The United States trustee or es not apply in this district.</li></ol>	bankruptcy administrator has determined that the credit counseling requirement	nt of 11 U.S.C. § 109(h)
	Active military duty in a mili	•	
pa		I.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after realing in person, by telephone, or through the Internet.);	sonable effort, to
of		U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency ions with respect to financial responsibilities.);	so as to be incapable
by	4. I am not required to receive a motion for determination by the c	a credit counseling briefing because of: [Check the applicable statement.] [Mucourt.]	st be accompanied
pr de pe	edit counseling briefing within the fi rovided the briefing, together with a eadline can be granted only for causeriod. Failure to fulfill these require	easons stated in your motion, it will send you an order approving your request. rst 30 days after you file your bankruptcy case and promptly file a certificate fro copy of any debt management plan developed through the agency. Any extense and is limited to a maximum of 15 days. A motion for extension must be filed ments may result in dismissal of your case. If the court is not satisfied with your g a credit counseling briefing, your case may be dismissed.	m the agency that sion of the 30-day d within the 30-day
s	ays from the time I made my reque	edit counseling services from an approved agency but was unable to obtain the st, and the following exigent circumstances merit a temporary waiver of the crev. [Must be accompanied by a motion for determination by the court.] [Summar	dit counseling requirement
p	United States trustee or bankruptcy performing a related budget analysis	e the filing of my bankruptcy case, I received a briefing from a credit counseling administrator that outlined the opportunties for available credit counseling and as, but I do not have a certificate from the agency describing the services provided to you and a copy of any debt repayment peer your bankruptcy case is filed.	assisted me in ed to me. You must file
р	Inited States trustee or bankruptcy performing a related budget analysis	e the filing of my bankruptcy case, I received a briefing from a credit counseling administrator that outlined the opportunties for available credit counseling and a s, and I have a certificate from the agency describing the services provided to make a payment plan developed through the agency.	assisted me in

PFG Record # 364134 Official Form 1, Exhibit D (10/06) Page 1 of 1

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Juan M Villalpando

### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

#### The compensation paid or promised by the Debtor(s), to the undersigned, is as follows:

For legal services, Debtor(s) agrees to pay and I have agreed to accept

\$3,500

Prior to the filing of this Statement, Debtor(s) has paid and I have received

\$2,000

The Filing Fee has been paid.

**Balance Due** 

\$1.500

2. The source of the compensation paid to me was:

Debtor(s)
-----------

Other: (specify)

3. The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s)

Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: **None.** 

- 4. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: None.
- 5. The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the first scheduled meeting of creditors.
- (d) Advice as required.

#### **CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

Dated: 08/11/2008

/s/ Juan M Villalpando

Attorney Name: Juan M Villalpando
LAW OFFICES OF PETER FRANCIS GERACI
55 E. Monroe Street #3400
Chicago IL 60603

312.332.1800 (PH) 312.332.6354 (FAX)

Form B203 (12/94) Page 1 of 1

Bar No: 6285237

# Document Page 7 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
4721 S. LaCrosse Chicago, IL 60638 (Debtors' Residence)	Fee Simple	J	\$ 247,000	\$ 282,002
Washington Mutual - 14537 S. McKinley Ave, Posen IL 60469 (Rental Property)	Fee Simple	J	\$ 185,000	\$ 190,000

Total Market Value of Real Property
(Report also on Summary of Schedules)

\$432,000.00

PFG Record # 364134

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or quardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

X		_		
	checking account with Chase	J	\$	10
X				
	Furniture  Furniture  Furniture  Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware	W H W	\$ \$ \$	300 300 200 2,500
	Books, Compact Discs, Tapes/Records, Family Pictures		\$	100
	, , , , , , , , , , , , , , , , , , , ,			
	Necessary wearing apparel.		\$	100
	Earrings, watch, costume jewelry		\$	50
		Furniture Furniture Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware  Books, Compact Discs, Tapes/Records, Family Pictures  Necessary wearing apparel.  Earrings, watch, costume jewelry	Furniture  Furniture  Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware  Books, Compact Discs, Tapes/Records, Family Pictures  Necessary wearing apparel.  Earrings, watch, costume jewelry	Furniture Furniture Furniture Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware  Books, Compact Discs, Tapes/Records, Family Pictures  Necessary wearing apparel.  \$  Earrings, watch, costume jewelry

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

SCHEDULE B - PERSONAL PROPERTY									
Type of Property	N O N E	Description and Location of Property	C H M	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or					
08. Firearms and sports, photographic, and other hobby equipment.	X								
09. Interests in insurance policies. Name insurance company of each policy and temize surrender or refund value of each.		Term Life Insurance - No Cash Surrender Value.	w	none					
10. Annuities. Itemize and name each issuer.	X								
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 J.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	X								
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars	X								
13. Stocks and interests in incorporated and unincorporated businesses.	X								
14. Interest in partnerships or joint ventures. temize. Itemize.	X								
15. Government and corporate bonds and other negotiable and non-negotiable nstruments.	X								
16. Accounts receivable	X								
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	X								
18. Other liquidated debts owing debtor ncluding tax refunds. Give particulars.	X								
19. Equitable and future interests, life states, and rights of power exercisable for he benefit of the debtor other than those isted in Schedule A - Real Property.	X								
20. Contingent and Non-contingent interests n estate of a decedent, death benefit plan, ife insurance policy, or trust.	X								
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.	X								
22. Patents, copyrights and other intellectual property. Give particulars.	X								
23. Licenses, franchises and other general ntangibles.	X								

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

SCHEDULE B - PERSONAL PROPERTY									
Type of Property	NONE	Description and Location of Property	H W J C	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or					
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X								
25. Autos, Truck, Trailers and other vehicles and accessories.		AGF - 1998 Chevy Conversion Van	J	\$ 2,500					
26. Boats, motors and accessories.	X								
27. Aircraft and accessories.	X								
28. Office equipment, furnishings, and supplies.	X								
29. Machinery, fixtures, equipment, and supplie used in business.	X								
30. Inventory	X								
31. Animals	X								
32. Crops-Growing or Harvested. Give particulars.	X								
33. Farming equipment and implements.	X								
34. Farm supplies, chemicals, and feed.	X								
		Total (Report also on Summary of Schedules)		\$6,060					

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# NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Juan O Bear and Consuelo Bear, Debtors

SCHEDULE C - PROPERTY	CLA	AIMED EXEMPT
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
00. Real Property 4721 S. LaCrosse Chicago, IL 60638 (Debtors' Residence)	735 ILCS 5/12-901	\$ 30,000	\$ 247,000
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.  checking account with Chase	735 ILCS 5/12-1001(b)	\$ 10	\$ 10
04. Household goods and furnishings, including audio, video, and computer equipment.  Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware	735 ILCS 5/12-1001(b)	\$ 2,500	\$ 2,500
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 100	\$ 100
06. Wearing Apparel  Necessary wearing apparel.	735 ILCS 5/12-1001(a),(e)	\$ 100	\$ 100
07. Furs and jewelry.  Earrings, watch, costume jewelry	735 ILCS 5/12-1001(b)	\$ 50	\$ 50
25. Autos, Truck, Trailers and other vehicles and accessories.  AGF - 1998 Chevy Conversion Van	735 ILCS 5/12-1001(c) 735 ILCS 5/12-1001(b)	\$ 2,400 \$ 100	\$ 2,500

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In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

	Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)		C H M	* Date Claim was Incured * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
1	American General Finance Bankruptcy Department PO Box 790368 Saint Louis MO 63179 Acct No.: 089403690158		J	Dates: 2007 Nature of Lien: Lien on Vehicle - PMSI Market Value: \$ 2,500 Intention: *Description: AGF - 1998 Chevy Conversion Van				\$ 2,500	\$ 0
2	Aronsons Furniture Attn: Bankruptcy Dept. 5657 W. Belmont Ave. Chicago IL 60634 Acct No.: 0012301140068		w	Dates: 2007 Nature of Lien: Purchase Money Sec Int - PMSI Market Value: \$ 300 Intention: *Description: Furniture				\$ 2,300	\$ 2,000

#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Monterey Financial Services Bankruptcy Department PO Box 2809 Carlsbad CA 92018

3 <u>Chase</u> Bankruptcy Department PO Box 78420 Phoenix AZ 85062 Acct No.: 1625083293	J	Dates: 2006 Nature of Lien: Mortgage Market Value: \$ 247,000 Intention: *Description: 4721 S. LaCrosse Chicago, IL 60638 (Debtors' Residence)			\$ 251,700	\$ 4,700
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# Document Page 13 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

	Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	H W J C	* Date Claim was Incured * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
4	Chase Bankruptcy Department PO Box 78420 Phoenix AZ 85062 Acct No.: 1625083293		J	Dates: 2006 Nature of Lien: Mortgage Arrears Market Value: \$ 247,000 Intention: None *Description: 4721 S. LaCrosse Chicago, IL 60638 (Debtors' Residence)				\$ 12,000	\$ 0
5	CitiFinancial Mortgage Co, Inc Bankruptcy Department PO Box 140069 Irving TX 75014 Acct No.: 2008M1-157939		J	Dates: 2008 Nature of Lien: Mortgage Arrears Market Value: \$ 247,000 Intention: None *Description: 4721 S. LaCrosse Chicago, IL 60638 (Debtors' Residence)				\$ 2,000	\$ 0
6	Citifinancial Mortgage Co. Bankruptcy Department PO Box 140069 Irving TX 75014 Acct No.: 2008M1-157939		J	Dates: 2007 Nature of Lien: Mortgage - Second Market Value: \$ 235,000 Intention: None *Description: 4721 S. LaCrosse Chicago, IL 60638 (Debtors' Residence)				\$ 16,302	\$ 0

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Richard A. Snow & Associates Bankruptcy Department 123 W. Madison St., Ste. 310 Chicago IL 60602

7 Washington Mutual Home Loans Attn: Bankruptcy Dept. PO Box 44118 Jacksonville FL 32231 Acct No.: 0696078369	J	Dates: 2006 Nature of Lien: Mortgage Market Value: \$ 185,000 Intention: Surrender *Description: Washington Mutual - 14537 S. McKinley Ave, Posen IL 60469 (Rental Property)		\$ 190,000	\$ 5,000
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#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Fisher & Shapiro Bankruptcy Department 4201 Lake Cook Road Northbrook IL 60062

Richard Daley Center Circuit Court 50 W. Washington St Chicago IL 60602 Case 08-21012 Doc 1 Filed 08/11/08 Entered 08/11/08 17:37:52 Desc Main Document Page 14 of 42

# Document Page 14 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above) Codebtor H W J C \* Date Claim was Incured

\* Nature of Lien

\*Value of Property Subject to Lien

\*Description of Property

Inliquidated

Amount of Claim Without Deducting Value of

Unsecured Portion, If Any

**Total** 

\$ 476,802

\$ 11,700

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYF	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
	Claims for death or personal injury while debtor was intoxicated  Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

<sup>\*</sup> Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear / Debtors

Attorney for Debtor: Juan M Villalpando

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
1 Allstate Insurance Bankruptcy Department 75 Executive Pkwy Hudson OH 44237-0001 Acct #: 4731		W	Dates: 2007 Reason: Insurance				\$ 3,100

Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Clerk Municipal 1st Dist Doc 07 M1 17875 50 W. Washington St. Chicago IL 60602

Bruce T. Armstrong, Attorney for Plaintiff PO Box 1397 Crystal Lake IL 60039



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# NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear / Debtors

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS							
Cı	reditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	or's Name, Mailing Address Including Zip Code and Account Number  Date Claim Was Incurred and Consideration For Claim.  If Claim is Subject to Setoff So State		Consideration For Claim.	Contingent	Jnliquidated	Disputed	Amount of Claim
2	Americash Loans Attn: Bankruptcy Department 1612 W. 59th Street Chicago IL 60636 Acct #: 2161		Н	Dates: 2006 Reason: PayDay Loan				\$ 2,700
3	BP Amoco Bankruptcy Department PO Box 15298 Wilmington DE 19886 Acct #: 4227651026062934		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 350
4	Capital One Bankruptcy Department 4721 S. Lacrosse Ave. Chicago IL 60638 Acct #: 5291151908892886		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 1,200
5	Chase Bankruptcy Department PO Box 15153 Wilmington DE 19886 Acct #: 5401683023358820		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 9,000
6	Chase Bankruptcy Department PO Box 15153 Wilmington DE 19886 Acct #: 4266841095871941		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 4,500
7	HFC Bankruptcy Dept. 7349 W. 25th Street North Riverside IL 60546 Acct #: 410026161362784		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 8,500
8	HSBC Bankruptcy Department PO Box 80084 Salinas CA 93912 Acct #: 5407915023265173		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 800

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# NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear / Debtors

SCHEDULE F - CREDITORS	3 H	OL	DING UNSECURED NON-PR	lO	RI	ΓΥ	CLAIMS
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Jnliquidated	Disputed	Amount of Claim
9 HSBC Card Services Bankruptcy Department PO Box 17051 Baltimore MD 21297 Acct #: 5440455004412451		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 900
10 Pay Day Loan Store Attn: Bankruptcy Dept. 4838 South Cicero Ave Chicago IL 60638 Acct #: 4731		Н	Dates: 2008 Reason: PayDay Loan				\$ 1,700
11 Sears Bankruptcy Department PO Box 183081 Columbus OH 43218 Acct #: 1150109158370		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 500
12 Shell/Citi Card Bankruptcy Department PO Box 138018 Columbus OH 43218 Acct #: 946920212		w	Dates: 2007 Reason: Credit Card or Credit Use				\$ 4,500
13 Union Plus Credit Card  Bankruptcy Department PO Box 17051 Baltimore MD 21297  Acct #: 5480420024520304		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 600
14 Union Plus Credit Card Bankruptcy Department PO Box 88000 Baltimore MD 21288 Acct #: 5480430004193501		w	Dates: 2007 Reason: Credit Card or Credit Use	1			\$ 6,800
15 Walmart Bankruptcy Department PO Box 530927 Atlanta GA 30353 Acct #: 6032207521284802		w	Dates: 2007 Reason: Credit Card or Credit Use				\$ 500

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear / Debtors

Attorney for Debtor: Juan M Villalpando

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
6 Wells Fargo Bankruptcy Department PO Box 98798 Las Vegas NV 89193 Acct #: 81774469		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 700
Mells Fargo/Visa  Bankruptcy Department PO Box 98751 Las Vegas NV 89193  Acct #: 4071100011182015		J	Dates: 2007 Reason: Credit Card or Credit Use				\$ 4,500

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

\$ 50,850.00



# Document Page 20 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

# Document Page 21 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	



# UNITED STATES BARKREPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Juan M Villalpando

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF DEBTOR AND SPOUSE ~ RELATIONSHIP AND AGE									
Status: Married	,,,,									
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT								
Occupation:	Machine Operator	Machine Operator								
Name of Employer:	Royal Group	RTS Packaging, LLC.								
Years Employed	26 years	10 yrs								
Employer Address:	1301 S. 47th Ave	250 N. Mannheim Rd.								
City, State, Zip	Cicero, IL 60804	Hillside, IL 60162								

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE			
1. Monthly Gross Wages, Salary, and commissions	\$ 2,436.50	\$ 2,489.41			
(Prorate if not paid monthly.) 2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00			
3. SUBTOTAL	\$ 2,436.50	\$ 2,489.41			
4. LESS PAYROLL DEDUCTIONS					
a. Payroll Taxes and Social Security	\$ 539.87	\$ 481.09			
b. Insurance	\$ 0.00	\$ 143.48			
c. Union Dues	\$ 0.00	\$ 0.00			
d. Other (Specify)  Pension:	\$ 0.00	\$ 0.00			
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00			
Child Support:	\$ 0.00	\$ 0.00			
Life Insurance, Uniforms, 401K Loan:	\$ 0.00	\$ 0.00			
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 539.87	\$ 624.56			
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 1,896.63	\$ 1,864.85			
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00			
8. Income from real property	\$ 0.00	\$ 0.00			
9. Interest and dividends	\$ 0.00	\$ 0.00			
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00			
11. Social Security or government assistance (Specify)	\$ 0.00	\$ 0.00			
12. Pension or retirement income	\$ 0.00	\$ 0.00			
13. Other monthly income (Specify:) & & &	\$ 0.00	\$ 0.00			
Unemployment Income	\$ 0.00	\$ 0.00			
14. SUBTOTAL OF LINES 7 THROUGH 13					
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 1,896.63	\$ 1,864.85			
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromlin	\$ 3,76	61.49			
if there is only one debtor repeat total reported on line 15.)	Report also on Summary of Schedules and, if applicable, on Statistical Summary				

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

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<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

## UNITED STATES BARKREPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Bankruptcy Docket #:

<b>SCHEDULE J - CURRENT EXPENSES</b>	OF INDIVIDUAL	DEBTOR(S)
--------------------------------------	---------------	-----------

	SC	HEDULE J	- CURRENT	EXI	PENSES OF	INDIVIDUA	T DEBIOK(	S)
paym	Complete the	nis schedule by estir bi-weekly, quarterly	mating the average mon, semi-annually, or annu	thly ex	penses of the debtor a show monthly rate.	and the debtor's famil	y at time case filed. Pr	rorate any
	Check box if	joint petition is filed &	k debtor's spouse maintai	ns a se	parate household. Con	nplete a separate sche	dule of expenditures lab	eled "Spouse".
1. R	ent or hor	ne mortgage pa	yment (include lot i	ente	d for mobile home	·)		\$ -
			ded? [x] Yes []			rance included?	[x] Yes [] No	•
2. U	tilities: a.	Electricity and	Heating Fuel					\$ 175.00
		Water, Sewer,	_					\$ 50.00
	C.	Cellphone, Inte	ernet					\$ 125.00
	d.	Other Hom	e Phone and Cabl	e Tel	evision			\$ 185.00
3. H	ome Mair	ntenance (repair	s and upkeep)					\$ -
4. F	ood							\$ 350.00
5. C	othing							\$ 25.00
6. La	aundry an	d Dry Cleaning						\$ 40.00
7. M	edical an	d Dental Expens	ses					\$ 20.00
8. Tı	ansporta	tion (not includir	ng car payments) (	Gas,	Tolls/Parking, Fe	es/Licenses, Re	pair, Bus/Train	\$ 210.00
9. R	ecreation	, Clubs and Ent	ertainment, Newspa	apers	, Magazines, etc.			\$ -
		Contributions						\$ -
11. In	,		om wages or includ	ed in	home mortgage	payments)		\$ -
		Homeowner's	or Renter's					<b>\$</b> -
	_	Life Health						\$-
		Auto						\$ 80.00
		Other						
10 T			waaaa ar inaludad i	n har	no mortaga nove	monto)		<b>\$</b> -
	pecify)		wages or included i ate Tax Repaymen			*		\$ -
•	• • •		Chapter 11, 12, and				cluded in plan)	•
13. 111		Auto	Snapter 11, 12, and	1130	ases, do not list p	ayments to be in	ciuded in pian)	\$-
		Reaffirmation	Payments					\$ -
		Other			\$-			\$-
14. A	imony, m	aintenance and	support paid to oth	ers				\$-
	•	• •	lditional dependent		• ,			\$-
16. R	egular ex	penses from op	eration of business	, prof	ession, or farm (a	ttach detailed sta	tement)	\$ -
17. O		rcuts, Hygiene, yecare, Meds	Newspaper/Mags Postage/Bankin		Tuition, Books & GLS Repay:	Childcare & Babysitting	Pet Care:	
		\$90.00	\$10.00		\$0.00	\$ -	\$ -	\$100.00
			PENSES (Total lines ain Liabilities and Relate			ary of Schedules and	if applicable, on	\$ 1,360.00
	escribe ai	ny increase/dec	rease in expenditur	es ar	nticipated to occur	within the year f	ollowing the filing t	this document:
20. S	TATEME	NT OF MONTH	LY NET INCOME	b. A	Average monthly in Average monthly elements of the Monthly net incomposal amount to be	expenses from Li e (a. minus b.)	ne 18 above	\$ 3,761.49 \$ 1,360.00 <b>\$ 2,401.49</b> \$ <b>2,400.00</b>

# Document Page 24 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None," If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	
2008: \$2,436/mthly 2007: \$57,275 2006: \$55,000	Employment	
Spouse		
AMOUNT	SOURCE	

. . . . . . . . . . . .

# Document Page 25 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

S	STATEMENT OF FINA	ANCIAL AFFAIRS	
Spouse			
·			
AMOUNT	SOURCE		
2008: \$2,489/mthly 2007: \$28,633 2006: \$30,681	Employment		
02. INCOME OTHER THAN FROM	EMPLOYMENT OR OPERATION O	F BUSINESS:	
the two years immediately precedin spouse separately. (Married debtors	ed by the debtor other than from empling the commencement of this case. Gos filing under chapter 12 or chapter 12 arated and a joint petition is not filed.	ive particulars. If a joint petition is 3 must state income for each spou	filed, state income for each
AMOUNT	SOURCE		
2008: \$0 2007: \$3,395 2006: \$0	401k/Pension Withdrawal		
Spouse			
AMOUNT	SOURCE		
AMOUNT	OCCINCL		
03. PAYMENTS TO CREDITORS:			
Complete a. or b. as appropriate, a	nd c.		
services, and other debts to any cre value of all property that constitutes that were made to a creditor on acc an approved nonprofit budgeting ar	R(S) WITH PRIMARILY CONSUMER editor made within 90 days immediate s or is affected by such transfer is not count of a domestic support obligation and creditor counseling agency. (Marris s whether or not a joint petition is filed	ly proceeding the commencement less than \$600.00. Indicate with a or as part of an alternative repayred debtors filing under chapter 12	t of this case if the aggregate an asterisk (*) any payments ment schedule under a plan b or chapter 13 must include
Name and Address of Creditor	Dates of Payments	Amount Paid	Amount Still Owing

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

## STATEMENT OF FINANCIAL AFFAIRS

NONE

b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and AddressDates ofAmount Paid or Value ofAmountof CreditorPayment/TransfersTransfersStill Owing

NONE

c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments be either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name & Address of CreditorDatesAmount Paid or Value ofAmount& Relationship to Debtorof PaymentsTransfersStill Owing

04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF NATURE COURT STATUS
SUIT AND OF OF AGENCY OF
CASE NUMBER PROCEEDING AND LOCATION DISPOSITION

Allstate Insurance
Company

Collections for non payment

Municipal Department

1st District

Chicago, IL

nicipal Department Dismissed with Leave 1st District

Juan Bear, 07 M1 17875

Washington Mutual v. Juan Foreclosure Circuit Court of Cook Pending
County

& Consuelo Bear 08 CH 4228

Collection Circuirt Court of Cook Pending
County

Citifinancial Mortgage v. Juan Bear Case# 08 M1 157939

NONE

04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person Date Description for Whose Benefit Property of and Value was Seized Seizure of Property

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### STATEMENT OF FINANCIAL AFFAIRS

NONE X

04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person for Whose Benefit Property was Seized

Date of Seizure Description and Value of Property

NONE

05. REPOSSESSION, FORECLOSURES AND RETURNS:

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor or Seller

Date of Repossession, Foreclosure Sale, Transfer or Return

Description and Value of Property

NONE X

06. ASSIGNMENTS AND RECEIVERSHIPS:

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Assignee

Date Assignment

Terms of Assignment or Settlement

NONE

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one (1) year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Custodian Name & Location of Court Case Title & Number

Date of Order

Description and Value of Property

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### STATEMENT OF FINANCIAL AFFAIRS

NONE

07. GIFTS:

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person<br/>orRelationship<br/>to Debtor,Date<br/>ofDescriptionOrganizationIf AnyGiftof Gift

X

08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Description of Circumstances and, Value if Loss Was Covered in Whole or in of Property Part by Insurance, Give Particulars Loss

#### 09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name andDate of Payment,<br/>AddressAmount of Money orAddressName of Payer if<br/>Other Than DebtorDescription and<br/>Value of Property

Law Office of Peter Francis Geraci 55 E. Monroe Street #3400 Payment/Value: \$2,000.00 Pre Petition; \$1,500.00 Through Ch 13 Plan

Chicago, IL60603

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name andDate of Payment,<br/>AddressAmount of Money or<br/>Mame of Payer if<br/>Other Than DebtorAmount of Money or<br/>description and<br/>Value of Property

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

## STATEMENT OF FINANCIAL AFFAIRS

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee

Date of Payment, Name of Payer if Other Than Debtor

2008

Amount of Money or description and Value of Property

\$50.00

MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227

#### 10. OTHER TRANSFERS

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Transferee, Relationship to Debtor

Date

Describe Property Transferred and Value Received

NONE

10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Name of Trust or other Device

Date(s) of Transfer(s) Amount and Date of Sale or Closing

NONE X

#### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution

Type of Account, Last Four Digits of Account Number, and Amount of Final Balance

Amount and Date of Sale or Closing

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

40 CAFE DEDOOIT DOVES			
12. SAFE DEPOSIT BOXES:			
immediately preceding the co	er box or depository in which the debtor has or mmencement of this case. (Married debtors fil spouses whether or not a joint petition is filed,	ing under chapter 12 or chapte	er 13 must include boxes or
Name and Address of Bank or Other Depository	Names & Addresses of Those With Access to Box or depository	Description of Contents	Date of Transfer of Surrender, if Any
13. SETOFFS:			
of this case. (Married debtors	reditor, including a bank, against a debt or dep filing under chapter 12 or chapter 13 must inc ess the spouses are separated and a joint peti	ude information concerning eit	
of this case. (Married debtors not a joint petition is filed, unle Name and Address	filing under chapter 12 or chapter 13 must inc ess the spouses are separated and a joint peti Date	lude information concerning eit tion is not filed.) Amount	
of this case. (Married debtors not a joint petition is filed, unle	filing under chapter 12 or chapter 13 must inc ess the spouses are separated and a joint peti	lude information concerning eit	
of this case. (Married debtors not a joint petition is filed, unle Name and Address of Creditor	filing under chapter 12 or chapter 13 must inc ess the spouses are separated and a joint peti Date	lude information concerning eit tion is not filed.) Amount	
of this case. (Married debtors not a joint petition is filed, unle Name and Address of Creditor  14. LIST ALL PROPERTY HE	filing under chapter 12 or chapter 13 must inc ess the spouses are separated and a joint peti Date of Setoff	lude information concerning eit tion is not filed.) Amount	
of this case. (Married debtors not a joint petition is filed, unle Name and Address of Creditor  14. LIST ALL PROPERTY HE List all property owned by and Name and Address	filing under chapter 12 or chapter 13 must includes the spouses are separated and a joint petion between the spouses are separated and a joint petion between the spouses are separated and a joint petion between the spouses are separated and a joint petion set of Setoff  ELD FOR ANOTHER PERSON:  Other person that the debtor holds or controls.  Description and	lude information concerning eit tion is not filed.)  Amount  of Setoff  Location	
of this case. (Married debtors not a joint petition is filed, unle Name and Address of Creditor  14. LIST ALL PROPERTY HE List all property owned by and	filing under chapter 12 or chapter 13 must includes the spouses are separated and a joint petion between the spouses are separated and a j	lude information concerning eit tion is not filed.) Amount of Setoff	

Occupancy

Used

Address

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### STATEMENT OF FINANCIAL AFFAIRS

NONE X

16. SPOUSES and FORMER SPOUSES:

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight (8) years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

Name



#### 17. ENVIRONMENTAL INFORMATION:

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of the these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law.

NONE

17a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the **Environmental Law:** 

Site Name Environmental Name and Address Date of Governmental Unit Law and Address of Notice

NONE

17b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

Site Name Name and Address Date Environmental and Address of Governmental Unit of Notice Law

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

Name

OT A TENJENIT	OF FINANCIA	

		istrative proceedings, including settlements or orders, under any Environn icate the name and address of the governmental unit that is or was a party			
_	Name and Address of Governmental Unit	Docket Number	Status of Disposition		
_	18 NATURE, LOCATION AND NAME	E OF BUSINESS			
	a. If the debtor is an individual, list the ending dates of all businesses in which partnership, sole proprietor, or was seimmediately preceding the commence within six (6) years immediately preceding	ch the debtor was an officer, directly elf-employed in a trade, profession ement of this case, or in which the	ctor, partner, or managing executive on, or other activity either full- or part- ne debtor owned 5 percent or more of	of a corporation, partner in time within six (6) years	
	ending dates of all businesses in which partnership, sole proprietor, or was so immediately preceding the commence	ch the debtor was an officer, directle-employed in a trade, profession ement of this case, or in which the ding the commencement of this names, addresses, taxpayer identification the debtor was a partner or or	ector, partner, or managing executive on, or other activity either full- or part- ne debtor owned 5 percent or more of case.  httfication numbers, nature of the busi	of a corporation, partner in time within six (6) years the voting or equity securit nesses, and beginning and	
	ending dates of all businesses in whice partnership, sole proprietor, or was see immediately preceding the commence within six (6) years immediately preceded in the debtor is a partnership, list the rending dates of all businesses in whice	th the debtor was an officer, directly end of this case, or in which the ding the commencement of this cases, or in which the ding the commencement of this names, addresses, taxpayer identity that debtor was a partner or or commencement of this case.	ector, partner, or managing executive on, or other activity either full- or partner debtor owned 5 percent or more of case.  Intification numbers, nature of the busing of the voting of the state of the busing of the	of a corporation, partner in time within six (6) years the voting or equity securit nesses, and beginning and or equity securities, within securities, and beginning and or equity securities, within securities.	
	ending dates of all businesses in whice partnership, sole proprietor, or was see immediately preceding the commence within six (6) years immediately preceding the debtor is a partnership, list the rending dates of all businesses in whice (6) years immediately preceding the confidence of the debtor is a corporation, list the rending dates of all businesses in whice	th the debtor was an officer, directly end of this case, or in which the ding the commencement of this case, or in which the ding the commencement of this names, addresses, taxpayer identification that debtor was a partner or or commencement of this case.	ector, partner, or managing executive on, or other activity either full- or partner debtor owned 5 percent or more of case.  Intification numbers, nature of the busing of the voting of the state of the busing of the	of a corporation, partner in time within six (6) years the voting or equity securit nesses, and beginning and or equity securities, within securities, and beginning and onesses, and beginning and	

Address

# Document Page 33 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

The felloudes greathers	he completed by seven deleter 0 - 0	and the state of t
has been, within six years imme executive, or owner of more that	ediately preceding the commencements an 5 percent of the voting or equity se	a corporation or partnership and by any individual debtor who nt of this case, any of the following: an officer, director, managir curities of a corporation; a partner, other than a limited partner, n, or other activity, either full- or part-time.
•	eceding the commencement of this ca	tement only if the debtor is or has been in business, as defined ase. A debtor who has not been in business within those six year
19. BOOKS, RECORDS AND	FINANCIAL STATEMENTS:	
List all bookkeepers and accounthe keeping of books of accoun	` , ,	diately preceding the filing of this bankruptcy case kept or supe
Name	Dates Services	
and Address	Rendered	
	who within two (2) years immediately ed a financial statement of the debtor	y preceding the filing of this bankruptcy case have audited the b
	, , <del>,</del>	, , , , , , , , , , , , , , , , , , , ,
account and records, or prepare  Name  19c. List all firms or individuals	ed a financial statement of the debtor Address who at the time of the commencemen	Dates Services Rendered  nt of this case were in possession of the books of account and i
account and records, or prepare  Name  19c. List all firms or individuals	ed a financial statement of the debtor . Address	Dates Services Rendered  nt of this case were in possession of the books of account and i
account and records, or prepare  Name  19c. List all firms or individuals	ed a financial statement of the debtor Address who at the time of the commencemen	Dates Services Rendered  nt of this case were in possession of the books of account and i
notes and seconds, or prepared in the second	Address  who at the time of the commencements of account and records are not available.  Address	Dates Services Rendered  nt of this case were in possession of the books of account and rilable, explain.
account and records, or prepare Name  19c. List all firms or individuals of the debtor. If any of the book Name  Name	Address  Who at the time of the commencemers of account and records are not available.  Address  Address	Dates Services Rendered  nt of this case were in possession of the books of account and rilable, explain.

# Document Page 34 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

	STATEMENT OF FIN		
20. INVENTORIES			
20. INVENTORIES			
List the dates of the last to the dollar amount and bas	wo inventories taken of your property, the names of each inventory.	e of the person who supervised the taking	of each inventory,
Date	Inventory	Dollar Amount of Inventory	
of	•	(specify cost, market of other	
Inventory	Supervisor	basis)	
o. List the name and addr	ess of the person having possession of the re	cords of each of the inventories reported in	a., above.
Date	Name and Addresses of Custodian		
of Inventory	of Inventory Records		
21. CURRENT PARTNE	RS, OFFICERS, DIRECTORS AND SHAREH	OLDERS:	
	RS, OFFICERS, DIRECTORS AND SHAREH ership, list nature and percentage of interest of Nature of Interest		
a. If the debtor is a partne  Name  and Address  21b. If the debtor is a corp	ership, list nature and percentage of interest of Nature	each member of the partnership.  Percentage of Interest  pration; and each stockholder who directly	or indirectly owns,
a. If the debtor is a partne  Name  and Address  21b. If the debtor is a corp	Nature of Interest	each member of the partnership.  Percentage of Interest  pration; and each stockholder who directly	or indirectly owns,
a. If the debtor is a partne  Name and Address  21b. If the debtor is a corp controls, or holds 5% or m	Nature of Interest	each member of the partnership.  Percentage of Interest  Diration; and each stockholder who directly reporation.	or indirectly owns,
na. If the debtor is a partner  Name and Address  21b. If the debtor is a corp controls, or holds 5% or m  Name and Address	Nature of Interest  Operation, list all officers & directors of the corpore of the voting or equity securities of the corpore of the voting of the voting of the voting of the corpore of the voting of	each member of the partnership.  Percentage of Interest  Diration; and each stockholder who directly reporation.  Nature and Percentage of Stock Ownership	or indirectly owns,
na. If the debtor is a partner  Name and Address  21b. If the debtor is a corp controls, or holds 5% or m  Name and Address	Nature of Interest  Doration, list all officers & directors of the corpore of the voting or equity securities of the corpore of the voting or equity securities of the corpore of the voting or equity securities of the corpore of the voting or equity securities of the corpore of the voting or equity securities of the corpore of the voting or equity securities of the corporation.	each member of the partnership.  Percentage of Interest  Diration; and each stockholder who directly reporation.  Nature and Percentage of Stock Ownership  DLDERS:	
Name and Address  21b. If the debtor is a corpontrols, or holds 5% or m  Name and Address	Nature of Interest  Doration, list all officers & directors of the corpore of the voting or equity securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corporation.	each member of the partnership.  Percentage of Interest  Diration; and each stockholder who directly reporation.  Nature and Percentage of Stock Ownership  DLDERS:	

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In re

Juan O Bear and Consuelo Bear, Debtors

22b. If the debtor is a corporatior immediately preceding the comm		ationship with the corporation terminated within one (1) year	r
Name and Address	Title	Date of Termination	
23. WITHDRAWALS FROM A PA	ARTNERSHIP OR DISTRIBUTION BY	A COPORATION:	
		outions credited or given to an insider, including compensation the perquisite during one year immediately preceding the	on in
Name and Address of	Date and	Amount of Money or	
Recipient, Relationship to	Purpose of	Description and value of	
Debtor	Withdrawal	Property	
	NUD.		—
for tax purposes of which the det case.	the name and federal taxpayer identifi otor has been a member at any time w	cation number of the parent corporation of any consolidated ithin six (6) years immediately preceding the commencemen	
If the debtor is a corporation, list for tax purposes of which the debt case.  Name of	the name and federal taxpayer identifi otor has been a member at any time w Taxpayer		
If the debtor is a corporation, list for tax purposes of which the debt case.	the name and federal taxpayer identifi otor has been a member at any time w		
If the debtor is a corporation, list for tax purposes of which the debt case.  Name of	the name and federal taxpayer identifi otor has been a member at any time w Taxpayer		
If the debtor is a corporation, list for tax purposes of which the debt case.  Name of Parent Corporation  25. PENSION FUNDS:	the name and federal taxpayer identification has been a member at any time w  Taxpayer  Identification Number (EIN)		as an
If the debtor is a corporation, list for tax purposes of which the debt case.  Name of Parent Corporation  25. PENSION FUNDS:	the name and federal taxpayer identification has been a member at any time w  Taxpayer  Identification Number (EIN)	ithin six (6) years immediately preceding the commencement	as an

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

## STATEMENT OF FINANCIAL AFFAIRS

#### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 07/25/2008 /s/ Juan O Bear X Date & Sign

Juan O Bear

Dated: 07/25/2008 /s/ Consuelo Bear X Date & Sign

Consuelo Bear

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear / Debtors

Attorney for Debtor: Juan M Villalpando

### STATEMENT OF INTENTION

- Debtor(s) have filed a schedule of assets/liabilities including consumer debts secured by property of the estate.
- Debtor(s) intention with respects to their property of the estate which secures those consumer debts is as follows:
- Debtor(s) understand that 521(2)(B) of the Bankruptcy Code requires that the below stated intentions must be performed within 45 days of filing.

**Description of Property** 

**Creditor's Name** 

Intention

#### PROPERTY TO BE RETAINED

[x] None

(Rental Property)

#### PROPERTY TO BE SURRENDERED

Washington Mutual - 14537 S. McKinley Ave, Posen Washington Mutual Home Loans IL 60469

Attn: Bankruptcy Dept. PO Box 44118 Jacksonville FL 32231

Surrender

\*524(c): Debt will be reaffirmed pursuant to Sec. 524(c)

\*722: Property is claimed as exempt and will be redeemed pursuant to Sec. 722

#### I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

/s/ Juan O Bear Dated: 07/25/2008

07/25/2008

Dated:

Juan O Bear

/s/ Consuelo Bear

X Date & Sign

X Date & Sign Consuelo Bear

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

# Document Page 38 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

	Attached		AMOL	INTS SCHEDULED	
Name of Schedule	Attached YES   NO	Pages	Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$432,000	\$-	\$-
SCHEDULE B - Personal Property	Yes	3	\$6,060	\$-	\$-
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$476,802	\$-
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$-	\$-
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$50,850	\$-
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$3,761
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$1,360
TOTALS			\$ 438,060 TOTAL ASSETS	\$ 527,652 TOTAL LIABILITIES	

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Juan O Bear and Consuelo Bear, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Juan M Villalpando

## STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159
Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 0
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 0

#### State the following:

Average Income (from Schedule I, Line 16)	\$ 3,761.49
Average Expenses (from Schedule J, Line 18)	\$ 1,360.00
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 6,529.74

#### State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 11,700.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 50,850.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 62,550.00

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Juan O Bear and Consuelo Bear, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Juan M Villalpando

#### **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated:	07/25/2008	/s/ Juan O Bear	X Date & Sign
		Juan O Bear	
Dated:	07/25/2008	/s/ Consuelo Bear	X Date & Sign
		Consuelo Bear	

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

#### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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In re

PFG Record #

364134

Juan O Bear, and Consuelo Bear, Debtors

Attorney for Debtor: Juan M Villalpando

### **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 07/25/2008 /s/ Juan O Bear X Date & Sign

Juan O Bear

Dated: 07/25/2008 /s/ Consuelo Bear

Consuelo Bear

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

In re
Juan O Bear and Consuelo Bear, Debtors

## NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

#### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

/s/ Juan O Bear Sign & Date Dated: 07/25/2008 Here Juan O Bear /s/ Consuelo Bear 07/25/2008 Sign & Date Dated: Consuelo Bear Here /s/ Juan M Villalpando 08/11/2008 Dated: Attorney: Juan M Villalpando Bar No: 6285237

PFG Record # 364134